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# The Loyola Reporter

Loyola Law School Los Angeles

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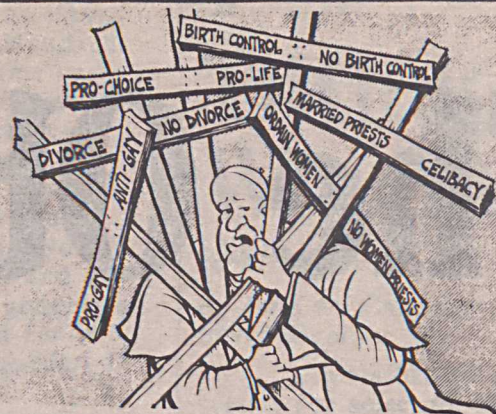


# Loyola Reporter

Loyola Law School

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"HOW MANY DIVISIONS DOES THE POPE HAVE? DON'T ASK...!"

## NEW FACES AT LOYOLA

Last In A Two Part Series

By Barbara W. Stearns

Professor Sean Scott comes to Loyola from the law firm of Manatt Phelps, where she has worked as a corporate attorney for the past two years. She is currently teaching Commercial Law, and will be teaching Contracts/Writing to first year students next semester.

Ms. Scott grew up in Washington D.C., where she lived most of her life. She attended Smith College for undergraduate school and NYU law school. Before moving to L.A. two years ago, she practiced with a large firm in Baltimore in the area of Corporate and Financial Institutions.

In law school Ms. Scott was very involved with Balsa-Black Law Students Association, and was a Civil Liberties Fellow during her third year. As far as current outside activities, she is involved in the organization of Black Women Lawyers, and has been nominated to the Board of Directors of the Southern California ACLU. In her spare time, Ms. Scott enjoys the theater, reading, most outdoor activities and jazz.

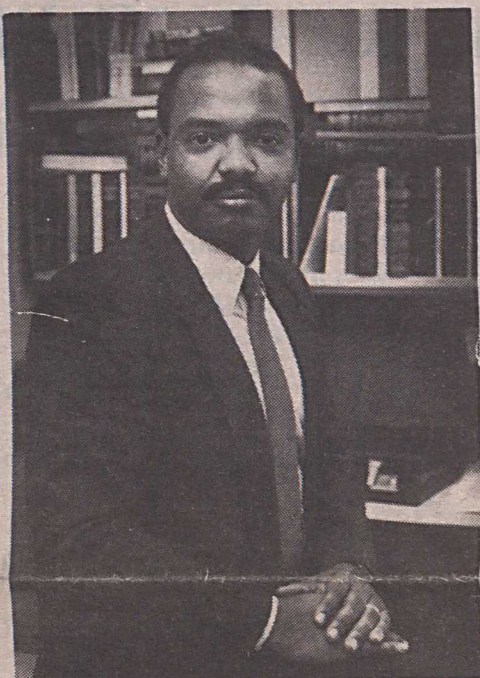
Ms. Scott didn't know anything about Loyola before come here, but she is very impressed and pleased with both the faculty and the students. The faculty is very welcoming and supporting, and displays a real feeling of collegiality. However, she is not very enthusiastic about certain aspects of L.A., like the traffic and the weather, but she's "getting used to it." In general she is happy with the students in her class: "they seem to be very good students and will meet expectation once it's clear to them what they are."

When asked what advice she had for law students, Ms. Scott replied: "Work hard and be diligent. It's important to make the best of the three years outside of academics- explore the many ways one can practice law now, while you still can. Don't let your vision be narrowed that a big corporate law firm is the only way to go- look into public interest work, working for the government, and clinical programs. . . this is probably the only time you'll have to dabble!"

Another new professor, coming to Loyola from Texas Southern University is Professor Jon H. Sylvester. Mr. Sylvester was born in Berkeley, California, and attended Stanford undergrad. He also received an M.A. from U.C. Berkeley in Journalism and worked in T.V. news for four

years before going to Harvard Law School. He always knew that he wanted to go to law school, but decided to take some time off to work before continuing with his education. He also felt that the two fields were very complementary- both dealing with the same areas and kind of people.

Mr. Sylvester graduated from Harvard Law School in 1981, where he was the Vice President of the Harvard



Forum and a founding member of the Harvard Communications Policy Group. After graduation he worked a Rogers and Wells in Washington D.C. and then at Anderson, Baker, Kill & Olick, also in Washington D.C.. He then became an Associate Professor of Law at Texas Southern University in Houston.

Mr. Sylvester currently teaches Contracts to evening students and International Business Transactions and Trade Regulation at Loyola. In the spring he will be teaching Contracts again and also Mass Media Law. Other courses he has taught include: Commercial Law, Remedies and Public International Law.

He is very pleased so far with his experience here at Loyola. One reason he chose to come here was because of the reputable faculty, and they have all met his expectations. He likes the students and actually has fun in his classes.

According to Mr. Sylvester, "law school DOESN'T have to be like a root canal- it's not THAT painful, so try to have some fun while you're here!" He also advises students to "try to establish some intermediate and long term goals because focusing on some objective beyond the present will help to keep everything in perspective."

Since he has only been in L.A. for a few months, Mr. Sylvester has not yet become involved in any activities, however he intends to become involved in something soon. He enjoys running, fishing, camping and music.

Another new face at Loyola is Professor Gilda Tuoni Russell, a new Ethics, Counseling and Negotiations professor. Ms. Tuoni Russell grew up in Albuquerque New Mexico, and graduated from the University of New Mexico in 1973. She received a J.D. from Boston College Law School in 1976 (graduating cum laude) and an LL.M. from Harvard Law School in 1980.

As far as other accomplishments, Ms. Tuoni Russell was on the Law Review and was appointed to be a Harvard Fellow, Salzburg Seminar in Salzburg Austria in 1983. Since graduating from law school, Ms. Tuoni Russell has worked as a law clerk for the Honorable Francis J. Quirico of the Massachusetts Supreme Judicial Court, and then as an attorney at Nutte, McClennen & Fish, and also at Palmer & Dodge in Boston. She was involved in private litigation practice. Ms. Tuoni Russell has also been a law professor at the University of Colorado Law School, Northeastern Law School and Boston College Law School. She has also served as an officer of the Massachusetts Women's Bar Association and Massachusetts Continuing Legal Education, chairing several committees of the bar in Massachusetts, including the Boston Bar Association Ethics Committee. Additionally, she is currently working on a book on Professional Responsibility.

Ms. Tuoni Russell was motivated to come to Loyola because she was in administration at Northeastern Law School- administering the Legal Practice Program- and wanted a change in the direction of her career, and also wanted to be closer to her family. "Loyola offered a marvelous opportunity to be at a fine school and accomplish these goals."

Ms. Tuoni Russell finds Loyola to be "very interesting." She feels that it is a large school, but yet there is a community atmosphere. The students are terrific- hardworking and good natured even in such a difficult course as ECN!!

Although it's evident that Ms. Tuoni Russell is extremely busy, she enjoys the outdoors, the Southwest and travel. She also remarked: "I'm afraid to say it, but I am also a Boston Celtics and New England Patriots fan- obviously in a minority out here!" Her current "hobby" is her 1 1/2 year old daughter Lauren.

Ms. Tuoni Russell advises law students to enjoy their time in law school and take advantage of the tremendous opportunity to learn in what is really a very non-pressured situation. "Once you get into practice, the demands are enormous and the time is limited. Law school should be a pleasant although stimulating experience prior to the 'real world' of practice!"

## Catholic Culture

By John Falotico, Editor

The Catholic Church is the world's largest organized religion. Even practicing Catholics are often unaware of the diversity of its custom.

The church dates its foundation from the prophecy of Jesus to his disciple Peter, "Thou art Peter (Latin for stone) and upon this rock I shall build my church." Matt. 15:18, Douay. This took place in the Holy Lands and after the Resurrection Peter began a Christian sect of Jews there, mainly relatives of Christ. This lasted about a century.

Peter was taken to Rome and brought before Nero who condemned him to be crucified upside down. In the 1500's Michelangelo painted a fresco of this scene in the Vatican.

About six miles outside Rome there is a church called St. Peter in Chains, and inside of it there are preserved two iron links believed to have shackled Peter. This church also houses Michelangelo's statue of Moses who holds the two tablets and has horns, apparently a misreading of "rays" of light. As soon as the figure was set up crowds of Jews came to the church to look at it and contemplate the face of Moses.

There were Jews, of course, in Rome long before there were any Christians. Certain of the pagan Latin authors mention their numbers, about 30,000 as I recall, and describe their customs in ways which are obviously inaccurate. The Romans tolerated most religions, though sometimes prohibited the Egyptian cults of Serapis and Isis. Other deities were adopted among the city's gods, including the Hebrew deity. Even so, when Pompey conquered the Hebrew Temple at Jerusalem he marveled that the inner sanctuary was empty of any figure. The Romans used to say that the Hebrews worshiped nothing but the clouds and the sky.

St. Paul, (called Saul in Hebrew), was the missionary to the gentiles. After having his vision and converting, Paul met Peter and argued that the Christians should not be bound by the mosaic law. This policy prevailed alongside the ordination of Peter. Within about 80 years of the Crucifixion the hierarchy of priests and bishops was firmly established. The Pope is considered the spiritual heir to Peter and there is a tradition in the church that the Pope must have touched someone who touched someone and on back to someone who touched Peter, who touched Christ. The largest church in the world is St. Peter's, built on the site of Peter's crucifixion. Peter's bones were discovered in the catacombs below it during

Continued on Page 3



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## CATHOLICS Continued

ing the 1970's. Catholic dogma holds that with the Second Coming the saints and the righteous will be resurrected bodily and ascend into heaven as Jesus and His mother were believed to have done. Peter will apparently poke a hole right through Michelangelo's magnificent dome at that time. No provision has been made in the architecture to prevent this.

Every catholic church contains a relic of a saint, usually a bone or garment. There is actually a cleric at the Vatican who sits in front of huge cabinets of such relics and divvies them out to new churches, informing the congregation there just who it is that they have. Without such a relic the building is called a chapel.

Italy is the best example of this tradition in practice. The Italians retained the city-state organization of the Roman Empire, so custom varies with the city that you're in; when in Rome I fast on Saturday, as the saying goes.

The cathedral at Sienna contains the arm of John the Baptist. His head was last seen during the fall of Constantinople to the crusaders. However, at that time they discovered not one, but two heads of John the Baptist, illustrating a long-standing credibility problem that has vexed the church. Scripture does not mention that John the Baptist had two heads.

Consider the example of Saint Anthony's, the cathedral of the city of Padua, about ten miles west of Venice, (Italy). Like all cathedrals it is built in the shape of a cross with the crucifix at the eastern end. Outside the building is the largest plaza in Italy, about three acres, and also the rectory. Titian painted a series of frescoes on the interior walls of the rectory depicting the miracles of St. Anthony. Anthony is shown reviving an infant who was dropped in a cauldron of boiling water. He restores the foot of a man who had had it cut off. He brings a woman back to life after she was murdered by her husband. And boy was she mad--so goes the joke.

Entering the church through the northern doors the first thing that you notice is that the alcove is covered with sterling silver ornaments, mostly in the shape of hearts. These are gifts to the church by people grateful for the recovery from disease, or who wish to commemorate someone who died. The revenue from this custom I believe is sufficient to support the entire cathedral.

Anthony's sarcophagus is in front of you and contains most of the remains of the saint. If you speak Italian and are properly respectful the guard might let you up to the altar where you can examine the iron bas reliefs which were made by Donatello in the 1400's. These also show the acts of the saint, the most noteworthy being a donkey which kneels before the Bible. Traditionally the miracle is that St. Anthony got the donkey to talk, but lately they've been soft-petaling this and merely claim that he got the animal to acknowledge scripture. This image of a donkey gesturing as if to say, "looks OK to me" makes for unusual meditation.

Because of this talking

miracle they removed St. Anthony's tongue and placed it on display in a reliquary at the eastern alcove. It's in a glass dome and looks like a small pyramid of black pepper corns. St. Anthony is also the patron saint of lost objects, so I prayed for him to get his tongue back.

Many churches in Italy were built on the site of pagan temples. Often the altar piece is the same marble that was used in pagan ritual sacrifices, though this is not done when the stone was used for human sacrifices. This custom is the same in the new world. A church was built at the Inca temple at Cuzco, for example. The Incas did not believe that their kings had died and so talked to the royal mummies and solicited their advice. With the coming of the European religion the native people would hide these mummies under the robes of the figures of saints which were paraded through the streets so that the population might secretly pay respect to the old culture.

The Aztecs had a custom which exotically fit into the sacrament of confession. Under Aztec law a criminal was not punished per se, but had to show contrition and obedience to the state by going to a notary and telling of his crime. Native people therefore flocked to catholic confession and demanded that the priest give out receipts to show that they had made a proper confession. They would then show these receipts to the magistrates in the mistaken belief that they were no longer liable at law.

The dominant influence in the United States is not the Italian nor the practices of other new world nations, but the Irish religious practice. This is mainly because of the great number of Irish who came here and because the clergy spoke English. Irish Catholicism is very devout, due to the persecution by the Protestants since Elizabeth the

first; through Cromwell, (who burned the churches); the revolution in the 1920's; down to the present day in Northern Ireland. Peter was a fisherman. Paul was a centurion. But Patrick was a slave.

Irish civilization was the only one in existence in western Europe during the tenth century. Irish monks preserved literature and history under the harshest conditions. The cold, rural nation always saw the church as the major cultural force, and this dominating attitude was transplanted into the U.S.. So, while Italian Catholics voted overwhelmingly to legalize abortion in Italy, U.S. Catholics see such an outcome as impious.

French Catholicism suffered from the great schism of the revolution. More so than in other countries, French culture is centered around its capital city, Paris, (France). As a result, the fashion of Paris dictated to an inordinate degree the values of the rest of the country.

For centuries French kings had been crowned in Chartres cathedral. With the execution of Louis XVI and declaration of the republic the church's influence in maintaining the authority of the government was shattered. Old values were abandoned. The revolutionary assembly changed the calendar, eschewing the names of months which had any tradi-

tional associations. The slaves in Haiti were freed. Hundreds were murdered at a time because of their political associations, sometimes floated as groups out on barges and drowned en mass.

The church was outlawed. The crucifix in Notre Dame was taken down and an antique statue of the goddess of reason was substituted for it. This was not at all regarded as atavistic.

Napoleon, of course, walked into the chaos of this situation and performed his coup d'etat. He ruled as first counsel, then as emperor,

(crowning himself). He conquered Italy and Spain, often using monasteries and churches as stables.

Eventually, though, he found that he could gain from a political alliance with the Pope. So, for purely political reasons, he signed the Concordat making Catholicism the official religion. Later, during his exile on St. Helens, he said that the only proper religion for France would have been the worship of himself.

French Catholicism has ever since had an association with government self-interest.

Let me just end with a few words about St. Ignatius Loyola and the Spanish church. Spain, alone of western Europe, was occupied by the Moslems. Here again the church was seen as a cultural force of nationality. In uniting around the church, though, Spaniards unwittingly adopted the militaristic attitude of their Moslem foes.

St. Loyola represents this odd dichotomy of church and military. He was a soldier of Spain who was struck by a cannon ball which broke his leg severely, such that the bone protruded from the flesh. During his long convalescence he had a religious vision and decided to be a soldier for Christ. After extensive travels he moved to Rome and petitioned the Pope to let him found an order, the Jesuits.

The Pope initially allowed him only sixty followers, eventually removing any restriction. St. Loyola was one of the most brilliant organizers in history. He believed that a Jesuit could be placed anywhere in the world and immediately fit in. He kept in constant correspondence with members of the order advising them on spiritual and policy concerns. I understand that thousands of his letters still exist, forming just a small part of the vast literature that is maintained by the church.

My favorite story about him is that he would walk down the courtyard wrapped deeply in thought. Silently other Jesuits would fall in line behind him and, unbeknownst to Ignatius, imitate the way he limped.

This is only a discussion of a few of the incredibly varied practices that are followed throughout the world. Customs in India, Korea, Malaysia, Japan, the Phillipines, as well as Europe are just as interesting to anyone so inclined. The organization of the church, however, is largely an Italian affair. Almost all of the Popes have been Italian. Pope John Paul II is the first non-Italian in over two hundred years, and my Italian friends all nod and say it will be another two centuries before the next one.

## OPINION:

# Tilting at Windmills

### EXCELLENCE:

By John M. Gallagher, Editorial Board Member

Loyola has an effective system for selecting the industrious and the intellectually gifted. It is an essential component of instruction by which the body of instructors can reward those whose work stands out as superior. At Loyola, I've found that the people in the upper grade echelons, the better student publications, and certain moot court personnel members are a superior class of student. This is fortunate for it enables students so selected to congregate and improve the reputation of the school. As reluctant as some are to admit, it is the superior students who are most likely to be chosen for positions of authority and responsibility, from where they can stand as examples to the potential of Loyola students in general.

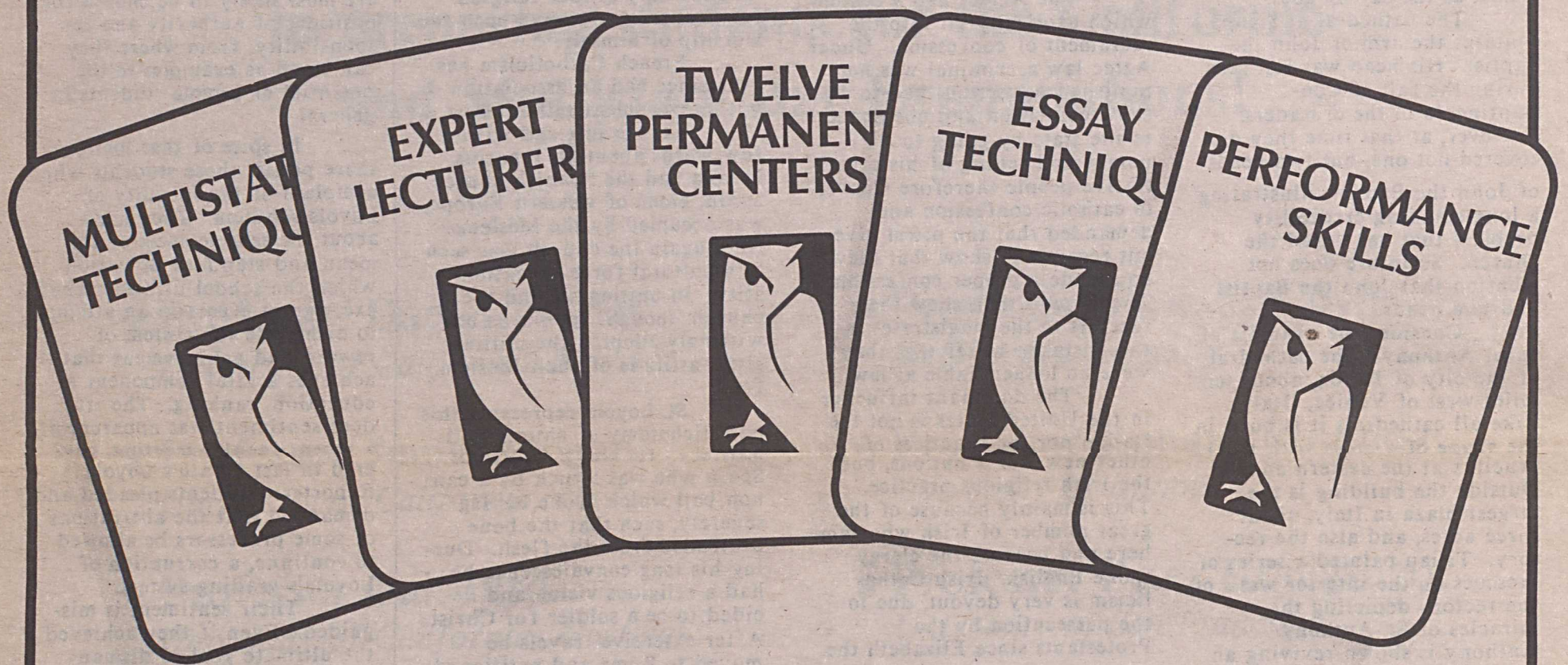
In spite of that logic, there persist those students who complain of the inequity of Loyola's system. They harp about the senselessness of the mean and standard deviation which the school utilizes. They exert great effort in an attempt to dismantle the system of reward and achievement that achieves a vital component of education, ranking. The student sentiment was apparent at a recent faculty meeting, covered in last month's Loyola Reporter. Students pleaded and demanded that the aberrations of some professors be allowed to continue, a corruption of Loyola's grading system.

Their sentiment is misguided. Even if they achieved the ultimate goal of dismantling Loyola's grading system, there would remain the hierarchy into which Loyola itself fits. Relative institutional qualification is as important as student ranking, and Loyola holds an increasingly respectable rank in a firmly established hierarchy of American law schools. Loyola's grading, and the consequent improvement of institutional respectability which it enables, ultimately benefits even those students who deny its meaning. An effective grading system is essential to the improvement of Loyola's reputation, and those students who gripe about it are denying themselves its benefits. Energy so spent is unwise, for anti-hierarchical sentiment diminishes Loyola Law School's chances to improve its national reputation.

I've never heard anyone complain that Olympic medals are meaningless, or that the Pulitzer and Nobel prizes should be disregarded. If the disgruntled utilized more energy sharpening their expertise rather than vociferously challenging the validity of the grading system, perhaps their subsequent performance improvement would prove them wrong, or career achievements prove them correct. In either case, to spend energy tilting at the windmills of our grading system is a pastime whose sole effect is the soothing of the anxiety of intellectual inferiority.



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